

REMARKS

The Office Action dated March 9, 2006 has been received and its contents carefully noted. In response thereto, applicants propose to amend claims 2, 6-8, 10, 15-16 and 26-29 and add new claims 27-28, all in an effort to place the application in condition for allowance. Reconsideration of the rejections of the claims is respectfully requested in view of the foregoing amendments and the following remarks.

Telephone Interview

Applicants' attorney wishes to thank Examiner Santiago-Cordero for her helpful comments during a telephonic interview held on April 5, 2006. Claim 1 and the cited references were discussed during the interview. No agreement was reached with respect to the allowability of the rejected claims.

Claim Rejections - 35 U.S.C. §§ 102 and 103

Claims 1-10, 17-18, 22 and 24-29 have been rejected as being anticipated by Lahr (U.S. Pub. No. 2003/0132863). To reject claims 15-16, the Examiner modifies the Lahr publication on the grounds of alleged obviousness by adding Murphy (U.S. Pub. No.

2003/0147205). Claims 19-21 and 23 have been rejected on the grounds of alleged obviousness by combining the Lahr publication with Kwon (U.S. Pub. No. 2004/0203513).

To further emphasize the features of the present invention, applicants propose to amend claims 8, 10, 15, 16 and 26-29 and add new claims 30-31 adding language which provides for relative movement of the at least one functional element to the base element. In addition, claims 2 and 6-7 have been amended to provide clarification thereto.

The Lahr publication fails to show a mobile communication device having a base element, at least one functional element mounted for reciprocal movement on the base element between retracted and extended positions and a cover element mounted to the base element for relative movement thereto between closed and opened positions and adapted to move the at least one functional element between the retracted and extended positions during relative movement of the cover element between the closed and opened positions as required by claim 1. The Lahr publication only shows at least one functional element mounted for reciprocal movement with the base element between retracted and extended positions. This publication also does not show the details of mechanical interaction of the cover element and the at least one functional element during relative movement of the cover element

between the closed and opened positions which moves the at least one functional element between the retracted and extended positions as required by claims 8-10, 15-16 and 26-31.

The addition of bits and pieces of Murphy and Kwon into the Lahr publication fails to correct the above noted basic deficiencies in the Lahr publication.


In summation, the claims are believed to be clearly distinguishable over the cited references as all the claims recite features which are not found in the cited references. The obviousness rejections use a hindsight reconstruction of applicants' invention based on their own disclosure. The proposed modification of the references still falls far short of applicants' unique invention.

Conclusion

In view of the foregoing amendments and remarks, withdrawal of the final rejection, entry of the amendments and allowance of the application are believed to be in order, and such action is earnestly solicited. The Examiner is invited to call applicants' attorney if any questions remain following review of this response.

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Respectfully submitted,

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